

MEMO ENDORSED

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September 24, 2012

Hon. William H. Pauley, III  
United States District Judge  
United States Courthouse  
500 Pearl Street, Room 2210  
New York, New York 10007

RECEIVED  
SEP 27 2012

CLERK OF  
WILLIAM H. PAULEY  
U.S.D.J.

Re: Martin Associates Inc., et ano v.  
Illinois National Insurance Company, et al.  
12 CV 7014 (WHP) (KNF)  
S&C File No.: 02306-32868

Dear Judge Pauley:

We are the attorneys for defendant Illinois National Insurance Company ("Illinois National") in the above-referenced action.

On September 17, 2012, we removed this case to the United States District Court, Southern District of New York, from the Supreme Court of the State of New York, County of Bronx, based on the understanding that Illinois National, a corporation organized and existing under the laws of the State of Illinois, also had its principal place of business in Chicago, Illinois and that, accordingly, the federal court had subject matter jurisdiction in this case based on diversity of citizenship.

We have since been advised by our client that Illinois National has a principal place of business in New York, New York. Accordingly, there is no diversity of citizenship between the parties and, thus, no subject matter jurisdiction.

\* For the foregoing reasons, and with the consent of plaintiffs' counsel, we request that the Court remand this

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action to the Supreme Court of the State of New York, County of Bronx.

We thank the Court in advance for its attention to this matter.

Respectfully submitted,

STEINBERG & CAVALIERE, LLP

By:

  
Steven A. Coploff

SAC:fc


Cc: All Counsel and Parties

S&C212996

\*\*Application granted. This matter is remanded to the New York State Supreme Court, Bronx County. The Clerk of the Court is directed to mark this case closed.

S&C00212996

SO ORDERED:

  
WILLIAM H. PAULEY III  
U.S.D.J. 9/27/12